

# Exhibit 1

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Norfolk Division**

CSX TRANSPORTATION, INC.,  
individually and on behalf of NORFOLK  
& PORTSMOUTH BELT LINE  
RAILROAD COMPANY,

Plaintiff,

v.

Civil Action No. 2:18-cv-530-MSD-RJK

NORFOLK SOUTHERN RAILWAY  
COMPANY, *et al.*,

Defendants.

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**AGREED ORDER**

THIS MATTER is before the Court on the Consent Motion for Extension of Time and to Exceed Page Limitations filed by Plaintiff CSX Transportation, Inc. (“CSX”), to which Defendants Norfolk Southern Railway Company (“NS”), and Norfolk & Portsmouth Belt Line Railroad Company (“NPBL”) have agreed. Upon considerations thereof, and for good cause shown, the Court GRANTS the motion and IT IS HEREBY ORDERED that CSX is permitted to file a consolidated responsive brief relating to Defendants’ *Daubert* Motions (ECF Nos. 465 and 473), not to exceed fifty (50) pages. IT IS FURTHER ORDERED that the following briefing schedule shall apply:

1. CSX shall file its response to Defendants’ *Daubert* Motions (ECF Nos. 465 and 473) on or before November 4, 2022.
2. NS and NPBL shall file their replies on or before November 14, 2022.

It is SO ORDERED this \_\_\_\_ day of \_\_\_\_\_, 2022.

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The Honorable Robert J. Krask  
United States Magistrate Judge

**WE ASK FOR THIS:**

**CSX TRANSPORTATION, INC.**

By its attorneys,

/s/ Robert W. McFarland

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**NORFOLK & PORTSMOUTH BELT LINE RAILROAD COMPANY**

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**NORFOLK SOUTHERN RAILWAY COMPANY**

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